IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4792 OF 2004

Rajesh Chhotekhan and
another ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. Rajendra Shirodkar, for the Applicant.

Mr. S.R. Shinde, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

1st November 2004

P.C.:

. Heard Counsel for the parties. Perused the record. The learned A.P.P. fairly accepts on instructions of the investigating officer who is present in the Court that in view of parity as claimed by the Applicants, the Applicants can be released on bail on the same terms and conditions on which accused No. 3 Gurmeet Singh Dasram was enlarged. Accordingly, the Applicants, Accused No. 4 and 6, are directed to be released on bail

on the following terms and conditions :

(a) The Applicants are enlarged on bail in connection with Crime No. I-180/2003 registered with Nasik Road Police Station on executing personal bond in the sum of Rs.25,000/- (Rupees Twenty five thousand only) each with two local sureties in the like amount.

(b) The Applicants shall not enter the jurisdiction of Nasik Road Police Station except for attending Court proceedings.

(c) The Applicants shall not tamper with the prosecution evidence or influence the prosecution witnesses in any manner whatsoever. If any such complaint is received, that can be a ground for cancellation of bail.

(d) The Applicants shall report to the nearest Police Station where he intends to reside once in fortnight on Saturday between 11 a.m. to 2 p.m. and also sent

intimation to the Registrar of the Sessions Court, Nasik, about their place of residence within one week from the date of release.

(e) The Applicants shall co-operate the trial Court for early disposal of the case. If the trial Court is of the opinion that the Applicants are responsible for delay in disposal of the case, that fact be recorded in roznama and can be a ground for cancellation of bail.

(f) The trial Court is further directed to expedite the hearing of the case. The Sessions Judge, Nasik, to assign the case to the Fast Track Court to ensure early disposal of the case, preferably within 9 months from the date of receipt of writ of this Court.

. Application disposed of on the above terms.

. Parties to act on the authenticated copy

of this order.

(A.M.KHANWILKAR,J.)